

## IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Michele BAUDY FLOC'H et al.

Conf. 1458

Application No. 10/560,163

Group PCT/DO/EO ✓

Filed December 9, 2005

PEPTIDE ANALOGUES COMPRISING AT LEAST ONE TYPE OF  
AMINOACYL AZA-\$G(B)<SP>3</SP> AND THE USE THEREOF,  
IN PARTICULAR FOR THERAPY

**PETITION UNDER 37 CFR \$1.181 TO WITHDRAW THE**  
**HOLDING OF ABANDONMENT**

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 25, 2008

Sir:

Withdrawal of the holding of abandonment in the above-identified application pursuant to 37 CFR \$1.181 is respectfully requested for the following reasons.

Recently, the undersigned received from the United States Patent and Trademark Office a Notice of Abandonment dated November 26, 2007 in the above-identified application. The Notice stated that the application had been abandoned in view of applicants' failure to respond to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office ("Notification").

The Notification required the submission of i) a copy of the Notification, ii) a translation of the application into English, iii) an oath or declaration of the inventors

("declaration"), and iv) an Amendment and Submission Pursuant to 37 CFR 1.821-1.825.

However, Section 503 of the Manual of Patent Examining Procedure clearly states that a postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the United States Patent and Trademark Office of all the items listed thereon on the date stamped thereon by the United States Patent and Trademark Office.

A careful review of the accompanying postcard receipt (Exhibit A), which contains all the necessary identifying data, reveals that on April 13, 2007, applicants timely filed i) a copy of the Notification, ii) a translation of the application into English, iii) an oath/declaration, and iv) an Amendment and Submission Pursuant to 37 CFR 1.821-1.825 (in paper and disk format), along with a petition for extension of time for one month, and authorization to debit Account No. 25-0120 for the extension fee.

Since the postcard receipt bears the United States Patent and Trademark Office mailroom stamp of April 13, 2007, it is respectfully requested that the holding of abandonment be withdrawn and that the application be forwarded to the Examiner for prompt consideration of applicants' response which was timely filed on April 13, 2007.

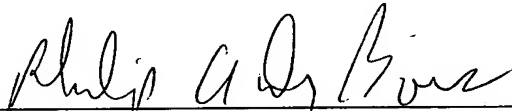
The complete response along with the extension of time which was previously filed on April 13, 2007 and which some of

the items were apparently misplaced is re-submitted herewith as Appendix B.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Philip A. DuBois, Reg. No. 50,696  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
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PD/lk

0508-1150

THE STAMP OF THE PATENT OFFICE MAIL HEREON ACKNOWLEDGES THE  
RECEIPT OF THE BELOW-IDENTIFIED DOCUMENT ON THE DATE INDICATED  
BY SUCH STAMP.

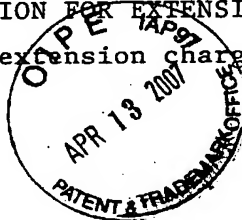
In re: Michele BAUDY FLOC'H et al.

10/560,163

PCT/DO/EO

S.N. Group  
RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS, copy of  
NOTIFICATION, declaration, AMENDMENT AND SUBMISSION PURSUANT  
TO 37 CFR 1.821-1.825, SEQUENCE LISTING in paper and  
disk formats, verified English translation of the present  
application, PETITION FOR EXTENSION OF TIME  
fee for one month extension charged to deposit account \$120

due 4/16/07



PD/fb

***EXHIBIT A***

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

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IN PARTICULAR FOR THERAPY

PETITION FOR EXTENSION OF TIME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 13, 2007

Sir:

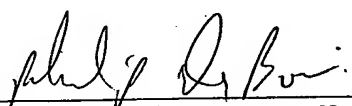
The undersigned hereby petitions for an extension of  
time to respond to the Official Action of January 16, 2007 for  
one month to April 16, 2007.

Please charge the extension fee of \$120 to Deposit  
Account No. 25-0120. If this fee is insufficient, the Patent  
Office is hereby authorized to charge any additional extension  
fee to Deposit Account No. 25-0120. A duplicate copy of this  
sheet is enclosed.

A responsive paper is filed herewith.

Respectfully submitted,

YOUNG & THOMPSON

  
Philip DuBois, Reg. No. 50,696  
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**EXHIBIT B**

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Michele BAUDY FLOC'H et al.

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Filed December 9, 2005

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IN PARTICULAR FOR THERAPY

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 13, 2007

Sir:

Pursuant to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office mailed on January 16, 2007, for which the period for response has been extended one month, applicants submit herewith an English translation of the present application.

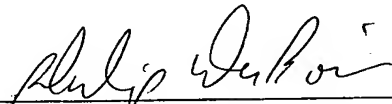
Additionally, applicants submit a declaration of the inventors that is believed to be in compliance with 37 CFR 1.497(a) and (b).

Applicants also submit an Amendment and Submission  
Pursuant to 37 CFR 1.821-1.825.

The Commissioner is hereby authorized in this,  
concurrent, and future replies, to charge payment or credit any  
overpayment to Deposit Account No. 25-0120 for any additional  
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

  
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PATENT  
0508-1150

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**AMENDMENT AND SUBMISSION PURSUANT TO 37 CFR 1.821-1.825**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 13, 2007

Sir:

Responsive to the Notification of Missing Requirements  
under 35 USC 371 in the United States Designated/Elected Office,  
applicants respectfully request that the record of the above-  
identified application be amended as follows:

**Remarks** begin on page 2 of this paper.



REMARKS

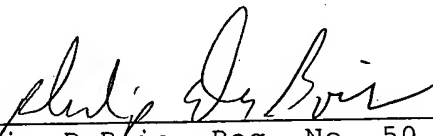
Responsive to the requirement for submission of a Sequence Listing, imposed in the outstanding Official Action, the same is provided herewith, attached to the present amendment, in paper and disc formats. Applicants hereby state that the attached paper and computer readable copies have the same content, and introduce no new matter into the present application.

In view of the above, it is respectfully submitted that the above-identified application complies with the requirements for patent applications containing nucleotide sequences and/or amino acid sequence disclosures.

Favorable consideration of this application is respectfully requested.

Respectfully submitted,

YOUNG & THOMPSON

  
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